

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RANCOURT WODELL, Petitioner	: : : : : : : : : :	CIVIL NO: 3:13-CV-01192 (Judge Kosik) (Magistrate Judge Schwab)
v.		
MIKE WENEROWICZ, Respondent		

REPORT AND RECOMMENDATION

The petitioner, Rancourt Woodell, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In accordance with *Mason v. Meyers*, 208 F.3d 414 (3d Cir. 2000), we notified Woodell of the effects of filing a § 2254 petition in light of the Antiterrorism and Effective Death Penalty Act, and we ordered Woodell to complete an election form electing either to stand on his current petition or to withdraw the current petition so that he can file an all-inclusive petition. Woodell completed the election form choosing to withdraw his petition.

Given Woodell's election to withdrawn his petition, it is recommended that the petition be deemed withdrawn and that the case file be closed.

The Parties are further placed on notice that pursuant to Local Rule 72.3:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in 28 U.S.C. § 636 (b)(1)(B) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within

fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

Submitted this 4th day of September, 2013.

S/Susan E. Schwab

Susan E. Schwab

United States Magistrate Judge